

1 THE HONORABLE RICARDO S. MARTINEZ

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 **DAIMLER AG,**

10
11 **Plaintiff,**

12 **v.**

13
14 **AMAZON.COM, INC.,**

15 **Defendant.**
16

No. 2:16-cv-00518-RSM

**STIPULATED MOTION AND ORDER
TO AMEND SCHEDULING ORDER**

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18 Pursuant to LCR 10(g), Plaintiff Daimler AG (“Daimler”) and Defendant Amazon.com, Inc.
19 (“Amazon”) respectfully stipulate and jointly move the Court to amend the Order Setting Trial Date
20 and Related Deadlines (ECF No. 43) (“Amended Scheduling Order”) by extending the trial date and
21 modifying the preceding dates, as noted below. This is the parties’ fourth request for an extension of
22 the trial dates and related deadlines.

23 The parties respectfully submit that good cause exists for the proposed amendments to the
24 schedule. Daimler and Amazon have continued to negotiate the final terms of a settlement agreement
25 that encompasses this proceeding, as well as a trademark infringement action between the parties in
26 the Central District of California (Case No. 2:17-cv-07674), and are closer to resolution of all

LAW OFFICES OF
NICOLL BLACK & FEIG PLLC
1325 FOURTH AVENUE
SUITE 1650
SEATTLE, WASHINGTON 98101
(206) 838-7555

1 outstanding terms. Accordingly, the parties anticipate finalizing their settlement and filing appropriate
2 dismissal paperwork within the requested extension time of 90 days. In light of the further progress
3 made towards settlement, the parties believe that a 90-day extension of all deadlines would allow them
4 to finalize the settlement and dismiss this case, or if the settlement is not finalized, finish preparing
5 their respective cases for trial. Such an extension would allow the parties to avoid the unnecessary
6 expenditure of time and resources and focus on resolving this matter without the need to burden the
7 Court further.

8 Daimler and Amazon, after conferring, agree that given the scope and status of the case and
9 the favorable posture of settlement negotiations, a 90-day extension of the trial date, and all discovery
10 dates, as well as modification to the case schedule is warranted.

11 A proposed amended case schedule is set forth below.

13 JURY TRIAL DATE	February 17, 2020 or later at the Court's convenience
14 Deadline for disclosure of expert witness testimony under FRCP 26(a)(2)	August 19, 2019
16 Deadline for filing motions related to discovery. Any such motions shall be noted for consideration pursuant to LCR 7(d)(3)	September 17, 2019
18 Discovery completed by	October 21, 2019
20 All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d))	November 14, 2019
22 Mediation per LCR 39.1(c)(3) held no later than	January 2, 2020
24 All motions in limine must be filed by and noted on the motion calendar for the third Friday thereafter pursuant to LCR 7(d)	January 16, 2020
26 Agreed pretrial order due	February 3, 2020

1	Pretrial conference to be scheduled by the	
2	Court.	
3	Trial briefs, proposed voir dire questions, jury	February 10, 2020
4	instructions, neutral statement of the case, and	
5	trial exhibits due	

5 DATED: May 9, 2019

6 By: /s/ Larry E. Altenbrun
 7 Larry E. Altenbrun, WSBA No. 31475
 8 **Nicoll Black & Feig**
 9 1325 Fourth Ave., Suite 1650
 10 Seattle, WA 98101
 11 Tel: (206) 838-7555
 12 Fax: (206) 838-7515

13 THE MARBURY LAW GROUP, PLLC
 14 Shauna M. Wertheim
 15 Timothy W. Johnson
 16 Joanna L. Cohn
 17 11800 Sunrise Valley Drive, 15th Fl.
 18 Reston, Virginia 20191
 19 Telephone: (703) 391-2900
 20 Facsimile: (703) 391-2901
 21 swertheim@marburylaw.com
 22 tjohnson@marburylaw.com
 23 jcohn@marburylaw.com
 24 *Pro Hac Vice Counsel*

25 Attorneys for Plaintiff Daimler AG

26 ** *Per e-mail authority*

19 DATED: May 9, 2019

20 By: /s/ Grant E. Kinsel
 21 Grant E. Kinsel (WSBA 49576)

22 **PERKINS COIE LLP**
 23 1201 Third Avenue, Suite 4900
 24 Seattle, WA 98101-3099
 25 Telephone: 206.359.8000
 26 Facsimile: 206.359.9000
 Email: GKinsel@perkinscoie.com
 Attorneys for Defendant Amazon.com, Inc.

1 **ORDER**

2 For good cause shown, IT IS SO ORDERED, with the exception that February 17, 2020,
3 is a holiday and the trial date is accordingly set for February 18, 2020.
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6 DATED this 13 day of May 2019.
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9 RICARDO S. MARTINEZ
10 CHIEF UNITED STATES DISTRICT JUDGE
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2 Presented by:

3 /s/ Larry E. Altenbrun

4 Larry E. Altenbrun, WSBA No. 31475

5 **NICOLL BLACK & FEIG PLLC**

6 1325 FOURTH AVENUE

7 SUITE 1650

8 SEATTLE, WASHINGTON 98101

9 Telephone: (206) 838-7555

10 Facsimile: (206) 383-7515

11 laltenbrun@nicollblack.com

12 Shauna M. Wertheim, *Pro Hac Vice*

13 Timothy W. Johnson, *Pro Hac Vice*

14 Joanna L. Cohn, *Pro Hac Vice*

15 **THE MARBURY LAW GROUP, PLLC**

16 11800 Sunrise Valley Drive, 15th Floor

17 Reston, Virginia 20191

18 Telephone: (703) 391-2900

19 Facsimile: (703) 391-2901

20 swertheim@marburylaw.com

21 tjohnson@marburylaw.com

22 jcohn@marburylaw.com

23 Attorneys for Plaintiff Daimler AG